

2101c

PROCEDURE F-11
(formerly 12-01)

Use of Farm Pollution Advisory Committee

Legislative Authority:

Environmental Protection Act, RSO 1990

Responsible Director:

Director, Environmental Planning Branch

Last Revision Date:

April, 1994

SYNOPSIS

The purpose of this procedure is to describe the use of the Farm Pollution Advisory Committee in investigating livestock-related pollution problems and to provide guidance to Ministry staff in obtaining appropriate abatement through the application of good farming practices. The procedures are intended to be applied to livestock-related pollution problems as substitutes for the procedures described in Sections 5.3 to 5.7 of Guideline F-2: "Compliance".

1.0 Abatement Procedure for Livestock-Related Pollution Problems

Normally, Ministry staff attempt to resolve pollution problems through discussion with the farmer concerned, and to obtain advice and assistance in this regard from representatives of the Ministry of Agriculture and Food, as required.

2.0 Use of Farm Pollution Advisory Committee

When Ministry staff have been unable to reach agreement with the farmer on a voluntary basis, the Farm Pollution Advisory Committee's advice shall be sought with the concurrence of the Ministry of Agriculture and Food.

With the establishment of the Farm Practices Protection Board under the *Farm Practices Protection Act*, the Farm Pollution Advisory Committee will not be responsible for investigating nuisance complaints about farm-related odour, noise or dust. The Farm Pollution Advisory Committee will continue to advise the Ministry with respect to livestock-related water problems.

2.1 Mandatory Use

The advice of the Committee shall be obtained prior to issuing a Control Order to a farmer, or laying a charge against a farmer relating to pollution arising from livestock operations.

2.2 Exception

Whenever the Regional Director has reasonable and probable grounds for believing that obtaining the Committee's advice would unduly delay urgently needed corrective action, or would not contribute to a resolution, the Regional Director may refrain from seeking the Committee's advice.

2.3 Discretionary

None of the foregoing should prevent Ministry staff from obtaining the Committee's advice whenever it might contribute to the resolution of a livestock-related pollution problem.

3.0 Procedure

Ministry staff shall contact the liaison officer to activate the Committee's investigation when the Committee's advice is required.

4.0 Committee Report

The Committee shall forward its report on its investigation to the Minister of the Environment and Energy and the Minister of Agriculture and Food. Copies shall be provided through the Ministry of Environment and Energy to staff of both Ministries and the farmer of concern.

5.0 Abatement/Enforcement Action

The Regional Director shall decide on appropriate abatement/enforcement action after reviewing the report.

